

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action date 7 May 2008. Responsive to that Office Action, Claims 17-27 have been amended for further prosecution with the other pending Claims. It is believed that with such amendment of Claims, there is a further clarification of their recitations.

In the Office Action, the Examiner objected to Figs. 1-3 of the Drawings for omitting the legend "PRIOR ART." Accordingly, a Replacement Drawing page including these Figures formally corrected to incorporate the omitted legend is submitted herewith.

Also in the Office Action, the Examiner objected to Claims 17-27 for containing certain grammatic informalities. The Examiner also rejected Claim 27 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, specifically noting an instance of insufficient antecedent basis. It is believed that the amendments incorporated into the Claims hereby now obviate the Examiner's formal concerns, including those set forth under 35 U.S.C. §112, second paragraph.

Further in the Office Action, the Examiner rejected Claims 17-18 and 21-27 under 35 U.S.C. §102(b) as being anticipated by the Mossner, et al. reference. The Examiner also rejected Claims 19-20 under 35 U.S.C. §103(a) as being

unpatentable over Mossner, et al. in view of the Inoue, et al. reference. In setting forth the latter rejection, the Examiner acknowledged that Mossner, et al. fails to teach a primary shape being cut out with an NC EDM machine, but cited Inoue, et al. for disclosing the use of NC EDM to machine a workpiece. On that basis, the Examiner concluded that it would have been obvious to one of ordinary skill in the art to have made use of an NC EDM machine in the Mossner, et al. method.

As newly-amended independent Claim 17 now more clearly recites, Applicant's manufacturing method includes among its combinations of features employing "a diameter-reducing step" which includes the "non-impact processing" of a rear square pillar portion of an axis formed with a primary shape in a preceding step. This non-impact processing serves "to shape the rear square pillar into a circular pillar," and does so "by compressing and stretching simultaneously." As the Claim further clarifies, the circular pillar is thus "formed with a smooth outer surface free of residual pressure marks due to impact force."

The full combinations of these and other features now more clearly recited by Applicant's pending Claims is nowhere disclosed by the cited references. Note, for example, that the primarily-cited Mossner, et al. reference clearly contemplates the impact-rounding of the elongate extension 9 in each of its hinge members. The reference specifies this extension 9 to be made into a gudgeon by being "stamped," (column 10; line 51). In this regard, the reference reiterates in even more explicit terms that such "extension 9 is provided with the required

rounding ... with two semi-circular stamping dies,” (column 10; lines 57-59). This teaches diametrically away from the “non-impact processing” employed by Applicant “to shape the rear square pillar into a circular pillar,” as Claim 17 now more clearly recites, so that “the circular pillar is formed with a smooth outer surface free of residual pressure marks due to impact force.”

Give such contrary and deficient teachings of the primarily-cited Mossner, et al. reference, the disclosures of the secondarily-cited Inoue reference are found to be ineffectual to the present patentability analysis. The reference was simply cited for its use, generally, of an NC-EDM apparatus for machining a workpiece. Inoue nowhere discloses the use of that apparatus to manufacture a resilient hinge of a spectacle frame, much less the use of any non-impact processing step for diameter reduction of a pillar component. Inoue fails to remedy the deficiencies of Mossner, et al.

It is believed, therefore, that the cited Mossner, et al. and Inoue, et al. references, even when considered together, fail to disclose the unique combinations of features now more clearly recited by the pending Claims for the purposes and objectives disclosed in the subject Patent Application.

It is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

If there are any additional charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
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